

Exhibit A

ante litem notice, proof of service,
City's denial of
liability



ISENBERG & HEWITT, PC
ATTORNEYS AT LAW

February 18, 2021

VIA STATUORY OVERNIGHT DELIVERY & EMAIL/ FACSIMILE

Hon. Joe Grooms, III	Chief Gary M. Roberts	Lori Phillips
Mayor, City of Brooklet	Brooklet Police Department	Interim Brooklet City Clerk
104 Church Street	202 East Lee Street	104 Church Street
Brooklet, Georgia 30415	Brooklet Georgia 30415	Brooklet, Georgia 30415
joe.grooms@brookletga.us	Fax: (912) 842-2001	lori.phillips@brookletga.us

Re: ANTE LITEM NOTICE
Our Client: Cynthia Jean Lott
Date of Incident: July 23, 2020

Ladies and gentlemen:

As you know, we represent Cynthia Jean Lott regarding the conduct of members of the Brooklet Police Department ("BPD"). Please accept this as Ms. Lott's notice of claim, as required by Georgia law, pursuant to *ante litem* notice required by O.C.G.A. §36-33-5.

Ms. Lott's claims arise from the unlawful and unconstitutional strip search and body-cavity search conducted by Officer DeeDee Estes (who we understand was terminated by Brooklet) at the Pojos Gas-n-Go located at 3575 Hwy 301 S Register, Georgia 30453 on July 23, 2020 (the "Incident"). While we do not believe that there is any doubt that Ms. Lott was strip and body-cavity searched, we do have body and dash cam video, as well as a declaration from an independent witness at the truck stop who saw the unlawful searches.

Officer Estes violated both state and federal law in the unlawful and humiliating searches. The law in this regard was clearly established at the time of the Incident. Any objectively reasonable officer should and would have known that this conduct was unlawful. Moreover, a review of the BPD standard operating procedures reveals the woefully inadequate procedures and training by BPD regarding search and seizure law and specifically strip and body-cavity searches. Moreover, the employment and training history of Officer Estes evidences a lack of adequate supervision, training and discipline, resulting in her remaining at the department long enough to assault and unlawfully search Ms. Lott.

As a result, Officer Estes and the City of Brooklet are liable for at least the following: assault and battery under Georgia law, abuse in custody under the Georgia law, and violation of privacy under Georgia law, in addition to federal claims. As a result of the unlawful and unconstitutional acts of Officer Estes, Ms. Lott suffered physical and emotional pain and injury, for which she seeks damages in the amount of \$1,000,000.00 from the City of Brooklet.

City of Brooklet, Georgia
February 18, 2021
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The purpose of this letter is to further comply with O.C.G.A. §36-33-5. It is to be expressly understood that any and all representations in this notice are for the limited purpose of complying with the statute and settlement discussions only and may not be used in any legal proceeding regarding this matter. This notice is not intended to and does not, by operation of law or waiver, limit our client's rights to pursue claims for the violation of rights under federal law or the United States Constitution or claims against individual officers under federal and Georgia law.

Very truly yours,

ISENBERG & HEWITT, PC

A handwritten signature in black ink, appearing to read "Bullman", with a stylized flourish at the end.

Mark B. Bullman

MBB/lb

Proof of Delivery

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number

1Z51X3W80126965215

Weight

0.50 LBS

Service

UPS Next Day Air®

Shipped / Billed On

02/18/2021

Delivered On

02/19/2021 10:15 A.M.

Delivered To

BROOKLET, GA, US

Received By

RENTERIA

Left At

Receiver

Thank you for giving us this opportunity to serve you. Details are only available for shipments delivered within the last 120 days. Please print for your records if you require this information after 120 days.

Sincerely,

UPS

Tracking results provided by UPS: 02/19/2021 10:21 A.M. EST

Proof of Delivery

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number

1Z51X3W80137228223

Weight

0.50 LBS

Service

UPS Next Day Air®

Shipped / Billed On

02/18/2021

Delivered On

02/19/2021 10:12 A.M.

Delivered To

BROOKLET, GA, US

Received By

SHELLEY

Left At

Receiver

Thank you for giving us this opportunity to serve you. Details are only available for shipments delivered within the last 120 days. Please print for your records if you require this information after 120 days.

Sincerely,

UPS

Tracking results provided by UPS: 02/19/2021 10:19 A.M. EST

Proof of Delivery

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number

1Z51X3W80128281003

Weight

0.50 LBS

Service

UPS Next Day Air®

Shipped / Billed On

02/18/2021

Delivered On

02/19/2021 10:12 A.M.

Delivered To

BROOKLET, GA, US

Received By

SHELLEY

Left At

Receiver

Thank you for giving us this opportunity to serve you. Details are only available for shipments delivered within the last 120 days. Please print for your records if you require this information after 120 days.

Sincerely,

UPS

Tracking results provided by UPS: 02/19/2021 10:23 A.M. EST

**HUNTER AND HUNTER
ATTORNEYS AT LAW, P.C.
1115 SOUTH MAIN STREET
SYLVANIA, GEORGIA 30467**

**HARRY H. HUNTER
(1926-2000)
HUGH T. HUNTER**

Telephone (912) 564-2092

Fax (912) 564-5655

March 19, 2021

Mark B. Bullman, Esq.
Isenberg & Hewitt, P. C.
6600 Peachtree Dunwoody Road
600 Embassy Row, Suite 150
Atlanta, Georgia 30328

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7017 0190 0000 5178 2840**

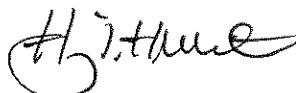
Re: Response To Ante Litem Notice
Your Client: Cynthia Jean Lott
Date of Incident: July 23, 2020

Dear Mr. Bullman:

The City of Brooklet acknowledges receipt of your ante litem notice in the above-referenced matter dated February 18, 2021. The Mayor and Council have considered the claims set forth in said ante litem notice, and have authorized me to inform you that the claim of your client is denied by the City of Brooklet.

Sincerely,

Hunter and Hunter,
Attorneys at Law, P. C.



Hugh T. Hunter,
City Attorney

HTH/kpc

cc: Honorable Joe Grooms, III, Mayor


Exhibit B

Declaration of Larry Higgs

DECLARATION OF LARRY HIGGS

1. My name is Larry Higgs, and I am a United States Citizen over the age of majority. I reside in the State of Georgia. I suffer from no legal disabilities and am otherwise competent to make this declaration.
2. The facts in this declaration are based upon my personal knowledge.
3. I am not associated with the officers, Ms. Cynthia Lott or anyone else associated with this matter.
4. On July 23, 2020, I pulled in to PO-Jo's Gas-n-Go located at 3575 US-301, Register, Georgia 30452, where I occasionally buy diesel fuel for my truck.
5. Sometime in the evening, I saw Cynthia Lott pulled over by around 6 police cars and officers or deputy sheriffs.
6. A man, who was with his daughter at the truck stop, told police that the truck Ms. Lott was driving was his, and that, if they found anything in the truck, it belonged to him and him only.
7. The officers seemed to ignore the man and told him and his daughter to go inside the store at the truck stop.
8. Lots of the officers/deputies search the truck.

9. I even saw police use a K-9 unit that walked around the truck but didn't hit on anything.
10. One of the officers said that he didn't want to be involved in the search any more and left, with another officer following him.
11. One of those police cars, if not another car entirely, turned around and came back to the scene and talked to another officer.
12. About 30 seconds later, that same officer walked to the passenger side of the truck and, all of a sudden, said he found something.
13. I heard the officers call for a female officer to come to the scene. One arrived about 10 to 15 minutes later.
14. I witnessed the female officer pull Cynthia Lott's pants and underwear down and search her and even touch her in her private areas.
15. After a week after all this happened, I went inside the store and started talking to one of the attendants. I told her that I thought what happened to Ms. Lott was wrong. The attendant turned out to be Ms. Lott's mother.
16. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.


LARRY HIGGS